

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
Northern Division**

	X	
	:	
JTH TAX, LLC d/b/a LIBERTY TAX SERVICE,	:	
	:	
	:	
	:	
Plaintiff,	:	
v.	:	Case No: 3:20-cv-0189 –DJP-FKB
	:	
CONTESSA THAMES, <i>et al.</i>	:	
	:	
	:	
Defendants.	:	
	:	
	X	

**PLAINTIFF, JTH TAX, LLC D/B/A LIBERTY TAX SERVICE’S MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Plaintiff JTH Tax LLC d/b/a Liberty Tax Service (“Liberty”) files this Motion pursuant to FED. R. CIV. P. 65, seeking a temporary restraining order and preliminary injunctive relief against former franchisee Contessa Thames (“Thames”), and Thames Tax and Bookkeeping Solutions, LLC (“TTBS”) (collectively, for the purpose of this Motion, the “Defendants”). In support thereof, Liberty relies upon its memorandum of law filed contemporaneously herewith.

WHEREFORE, for the foregoing reasons, Liberty respectfully requests application for a Temporary Restraining Order and Preliminary Injunction be granted and the Court order the following relief:

1. Enjoin Thames and TTBS from continuing to operate a tax preparation business out of any previous Franchise Businesses;

2. Enjoin Thames and TTBS from preparing or electronically filing income tax returns and offering Financial Products within the Territories or within 25-miles of the Territories set forth in the Franchise Agreements;

3. Enjoin Thames and TTBS from providing tax preparation services to any customers served by the former Franchise Businesses;

4. Enjoin Thames and TTBS from using any confidential information from manuals or systems provided by Liberty;

5. Order Thames and TTBS to remove any internet references to tax preparation in the Territories;

6. Order Thames to return to Liberty, at her own expense, all materials provided by Liberty to Thames, including, without limitation, computers, all manuals, customer lists, advertising material, stationery and printed forms and all other matters relating to the operation of the Franchises and/or bearing the Marks;

7. Order Thames to deliver to Liberty, at her own expense, any original and all copies, including electronic copies and media, of lists and other sources of information containing the names, addresses, e-mail addresses, or phone numbers of customers who patronized the Franchised Businesses, and any original and all copies, including electronic copies and media, containing customer tax returns, files, and records; and

8. And further relief as this Court deems just and necessary.

[Remainder of Page Intentionally Left Blank]

Dated: April 28, 2020

GORDON REES SCULLY MANSUKHANI LLP

Attorneys for Liberty JTH Tax LLC. d/b/a Liberty Tax Service

By: /s/ Hiawatha Northington II

Hiawatha Northington II (MS Bar No. 10831)

1000 Highland Colony Parkway, Suite 5203

Ridgeland, MS 39157

T: (769) 524-2725

F: (662) 580-4556

E: hnorthington@grsm.com

Patrick K. Burns, *admitted pro hac vice*

1101 King Street, Unit 520

Alexandria, VA 22314

Phone: (202) 399-1009

Fax: (202) 800-2999

pburns@grsm.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 28, 2020, the foregoing Motion, and Memorandum in Support was filed with the Clerk of Court using the CM/CMF system, and copies sent (Including a copy of the Proposed Order) via U.S. Mail to the following:

Contessa Thames
2372 Breckinridge Road
Jackson, MS 39204

Prayer Bailey
1040 Monroe Street
Jackson, MS 39202

Thames Tax And Bookkeeping Solutions, LLC
c/o Contessa Thames, Registered Agent
2372 Breckinridge Road
Jackson, MS 39204

Defendants

Hiawatha Northington II
Hiawatha Northington II